HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.18280 of 1998

Dated 28th day of February, 2007

Between:

Kalluru Venkat Rao ..
Petitioner

And

The Executive Engineer (R & B)
Kothagudem, Khammam District
and another ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the 1st respondent in not complying with the conditions stipulated in the letter, dated 15.5.1998 of the 2nd respondent, as illegal and arbitrary.

The brief facts of the case are that the petitioner's land was acquired in the year 1955 for the purpose of laying road between Tallada and Kothagudem, but no compensation was paid to him. Later, in pursuance of the orders passed by this Court in W.P.No.11375 of 1996, which was filed by the petitioner seeking compensation, the 1st respondent initiated proceedings and sent proposals to the 2nd respondent for payment of compensation. In spite of the fact that the 2nd respondent sent a letter to the 1st respondent on 15.5.1998 requesting him to furnish certain information and deposit certain amounts for payment of compensation, the 1st respondent has not complied with the conditions of the letter.

Heard the learned counsel for both the parties.

In the counter affidavit, the 1st respondent has clearly stated that the objections raised by the 2nd respondent have already been complied with. Having regard to the fact that the objections raised by the 2nd respondent in his letter dated 15.5.1998 have been complied with, this Court is of the view that the 1st respondent must have deposited an amount of Rs.7.00 lakhs as requested by the 2nd respondent. In view of the same, the 2nd respondent is hereby directed

to complete the award enquiry and pass appropriate orders in accordance with the provisions of the Land Acquisition Act.

With the above direction, this writ petition is disposed of. No costs.

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28.02.2007

bcj